

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**FITLIFE BRANDS, INC.,**

**Plaintiff,**

**vs.**

**1928 WINGS LLC d/b/a AMPLICELL,**

**Defendant.**

**8:24CV120**

**ORDER TO SHOW CAUSE**

This matter comes before the court after a review of the docket and pursuant to NECivR 41.2, which provides, “At any time, after appropriate notice, a case not being prosecuted with reasonable diligence may be dismissed for lack of prosecution.”

Plaintiff commenced this action on April 4, 2024. ([Filing No. 1](#)). On May 21, 2024, Plaintiff filed Proof of Service purporting to show Defendant was served by certified mail through its registered agent on May 15, 2024. ([Filing No. 8](#)). To date, Defendant has not filed any responsive pleading or otherwise appeared in this case, and Plaintiff has taken no further action against Defendant. Plaintiff has a duty to prosecute the case and may, for example, seek default in accordance with the applicable rules, voluntarily dismiss this action, or take other action as appropriate. Under the circumstances, Plaintiff must make a showing of good cause for failure to prosecute, or the action will be dismissed for lack of prosecution. Accordingly,

**IT IS ORDERED:** On or before **July 31, 2024**, Plaintiff must show cause why this case should not be dismissed for failure to prosecute, or take some other appropriate action.

Dated this 8<sup>th</sup> day of July, 2024.

BY THE COURT:

s/Michael D. Nelson  
United States Magistrate Judge